

ORDINANCE NO. 3901

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PORTIONS OF CHAPTER 20.70 OF THE EDMONDS COMMUNITY DEVELOPMENT CODE THAT REQUIRES EXPANDED NOTICE REQUIREMENTS FOR EASEMENTS RETAINED DURING STREET VACATIONS.

WHEREAS, in response to a citizen request, the City Council tasked the Planning Board with considering an amendment to Chapter 20.70 of the Edmonds Community Development Code entitled “Street Vacations” to expand the content of notice requirements for street vacations; and

WHEREAS, after a public hearing held on May 9, 2012 the Planning Board forwarded a recommendation to the City Council regarding a proposed amendment to street vacation noticing requirements to indicate the nature of any easement that would be retained in connection with a vacation; and

WHEREAS, after a considering the Planning Board’s recommendation at a public hearing held on June 5, 2012 the City Council directed that an ordinance be prepared to adopt expanded notice requirements for street vacations; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment to Chapter 20.70 Street Vacations. Section 20.70.090 of the Edmonds Community Development Code, entitled “Public notification – Contents and distribution,” is hereby amended to read as follows (new text is shown in underline):

20.70.090 Public notification – Contents and distribution.

A. Content. The city clerk shall prepare a public notice containing the following information:

1. A statement that a request to vacate the street, alley, easement, or part thereof will be considered by the city council;

2. A locational description in nonlegal language along with a vicinity map that identifies the street, alley, easement, or part thereof;
3. A statement of the time and place of the public hearing before the city council;
4. A statement of the availability of the vacation file; and
5. A statement of the right of any person to submit written comments to the city council prior to or at the public hearing and to appear before the city council at the hearing to give comments orally.

6. A description of any easement under consideration to be retained by the City. In the event an easement is desired, but was not included in the notice, the public hearing will be continued to allow time for notice of the easement to be provided.

B. Distribution. At least 20 calendar days before the public hearing the planning manager shall distribute the public notice as follows:

1. A copy will be sent to the owner of each piece of property within 300 feet of any boundary of the street, alley, easement, or part thereof to be vacated;
2. A copy will be sent to each resident living immediately adjacent to the street, alley, easement, or part thereof to be vacated;
3. A copy will be published in the official newspaper of the city;
4. At least three copies will be posted in conspicuous public places in the city; and
5. At least three copies will be posted on the street, alley, easement, or part thereof to be vacated.

Section 2. Severability. If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:


MAYOR DAVID O. EARLING

ATTEST/AUTHENTICATED:


CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
JEFF TARADAY

FILED WITH THE CITY CLERK:	11-30-2012
PASSED BY THE CITY COUNCIL:	12-04-2012
PUBLISHED:	12-09-2012
EFFECTIVE DATE:	12-14-2012
ORDINANCE NO. <u>3901</u>	

SUMMARY OF ORDINANCE NO. 3901

of the City of Edmonds, Washington

On the 4th day of December, 2012, the City Council of the City of Edmonds, passed Ordinance No. 3901. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PORTIONS OF CHAPTER 20.70 OF THE EDMONDS COMMUNITY DEVELOPMENT CODE THAT REQUIRES EXPANDED NOTICE REQUIREMENTS FOR EASEMENTS RETAINED DURING STREET VACATIONS.

The full text of this Ordinance will be mailed upon request.

DATED this 5th day of December, 2012.


CITY CLERK, SANDRA S. CHASE

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.

SUMMARY OF ORDINANCE NO. 3901

of the City of Edmonds, Washington
On the 4th day of December, 2012, the City Council of the City of Edmonds, passed Ordinance No. 3901. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PORTIONS OF CHAPTER 20.70 OF THE EDMONDS COMMUNITY DEVELOPMENT CODE THAT REQUIRES EXPANDED NOTICE REQUIREMENTS FOR EASEMENTS RETAINED DURING STREET VACATIONS.

The full text of this Ordinance will be mailed upon request.
DATED this 5th day of December, 2012.

CITY CLERK, SANDRA S. CHASE

Published: December 9, 2012.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance No. 3901

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

December 09, 2012

and that said newspaper was regularly distributed to its subscribers during all of said period.

Karen E. Zorn

Principal Clerk

Subscribed and sworn to before me this

10th

day of December, 2012

Diane J. Hendrix

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.

